

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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LAURA (GODOY) NICOLE v. COMMISSIONER  
OF SOCIAL SECURITY  
1:05-CV-1083 (FJS/GJD)

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PETER M. MARGOLIUS, ESQ.  
Catskill, New York 12414  
Attorney for Plaintiff

ORDER

Plaintiff brings this action seeking review of the decision of the Commissioner of Social Security denying her application for disability benefits.

On August 30, 2005, plaintiff's complaint was filed. On August 31, 2005, I issued an Order granting plaintiff's application to proceed in forma pauperis, and ordered that plaintiff's attorney serve a copy of the complaint, summons and my Order upon the United States Attorney for the Northern District of New York. The Order also directed plaintiff's attorney to complete service of process by serving the Commissioner of Social Security and the Attorney General of the United States in accordance with Rule 4 of the Federal Rules of Civil Procedure.

A review of the file indicates that a summons was issued by the Clerk on September 1, 2005, but it does **not** appear that the summons and complaint were served upon the defendant.

WHEREFORE, based on the above, it is hereby

**ORDERED, that the attorney for plaintiff is directed to effect service of the summons and complaint upon the defendant within thirty (30) days of receipt of this Order, and it is further**

ORDERED, that the Clerk serve a copy of this Order on the attorney for plaintiff and the United States Attorney for the Northern District of New York.

Dated: November 15, 2005

A handwritten signature in cursive script, reading "G. J. DiBianco", written over a horizontal line.

Hon. Gustave J. DiBianco  
U.S. Magistrate Judge